

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

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|------------------------------------|---|------------------------|
| JOSEPH A. ACEY and BESSIE I. ACEY, |) | |
| Plaintiffs, |) | |
| |) | |
| vs. |) | Civil Action No. 06-77 |
| |) | |
| JACOB ROMAN SCHMIDT, JR., |) | |
| Defendant. |) | |

ORDER

AND NOW, this 14th day of June, 2006, after the plaintiffs, Joseph A. Acey and Bessie I. Acey, filed an action in the above-captioned case, and after a motion to dismiss or, in the alternative, to transfer for lack of personal jurisdiction and improper venue was submitted by defendant, Jacob Roman Schmidt, Jr., and after a Report and Recommendation was filed by the United States Magistrate Judge granting the parties ten days after being served with a copy to file written objections thereto, and no objections having been filed, and upon independent review of the motion and the record, and upon consideration of the Magistrate Judge's Report and Recommendation (Docket No. 11), which is adopted as the opinion of this Court,

IT IS ORDERED that defendant's motion to dismiss or, in the alternative, to transfer for lack of personal jurisdiction and improper venue (Docket No. 6) is granted and this action is transferred to the United States District Court for the District of Maryland, Northern Division, forthwith pursuant to 28 U.S.C. § 1406(a).

/s/ Joy Flowers Conti
Joy Flowers Conti
United States District Judge